

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion
and Order to Show Cause into the operations,
practices and conduct of Titan
Telecommunications, Inc. (U-6224), and
Christopher Bucci, its President and owner,

Respondents.

Investigation 01-03-021
(Filed March 15, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING TAKING PHASE II
HEARINGS OFF CALENDAR AND REVISING HEARING SCHEDULE**

This ruling responds to the November 2, 2001, Consumer Services Division (CSD) letter and the November 7, 2001, Respondents (Titan Telecommunications, Inc. and Christopher Bucci) letter by taking the Phase II hearings (alter ego), currently consolidated with Phase I hearings (revocation) from January 8-11, 2002, off calendar. The Phase I hearings will begin as scheduled on January 8, 2002. This ruling further revises the hearing schedule to set January 3 as the date by which CSD and Respondents will file and serve the stipulation of undisputed facts and law for Phase I that was due on November 9, 2001.

CSD's Phase II declarations were due on November 5, 2001. CSD states that Respondents' failure to respond to a data request has delayed the preparation of those declarations. CSD needs four weeks after receipt of the responsive documents to prepare those declarations, and CSD's attorney will be out of the office until December 3, 2001. Respondents replied that CSD did not

timely communicate the need for the responses and that the responses were provided on November 7, 2001. Respondents requested the original four weeks provided in the current schedule for Respondents to submit their testimony/declarations in response to CSD's declarations.

I will take the Phase II hearings off calendar. Theoretically, it is possible for CSD to complete its declarations and for Respondents to submit their testimony in advance of the hearings. However, the parties have not proposed a schedule, and the testimony would not be served ten days in advance of the hearings, as required under Rule 68 of the Commission's Rules of Practice and Procedure. The Phase I hearings will begin as scheduled.

The Phase I stipulation of undisputed facts and law was due on November 9, 2001. CSD and Respondents failed to file that stipulation. The hearings will be far more focused if the parties prepare the stipulation as directed. If CSD and Respondents remain unable to stipulate, they are directed to separately prepare, file and serve proposed findings of fact and conclusions of law.

IT IS RULED that:

1. The Phase II hearings are taken off calendar, but the Phase I hearings shall commence as scheduled on January 8, 2002, and continue as needed through January 11, 2002.

2. The Phase I stipulation of facts and law shall be filed on January 3, 2002. If the parties are unable to stipulate, they shall separately file proposed findings of fact and conclusions of law.

Dated December 4, 2001, at San Francisco, California.

/s/ JANICE L. GRAU

Janice L. Grau
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Taking Phase II Hearings Off Calendar and Revising Hearing Schedule on all parties of record in this proceeding or their attorneys of record.

Dated December 4, 2001, at San Francisco, California.

/s/ JEANNIE CHANG
Jeannie Chang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

I.01-03-021 JLG/jyc